

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

UNITED STATES OF AMERICA UPON THE  
RELATION AND FOR THE USE OF THE  
TENNESSEE VALLEY AUTHORITY,

Plaintiff,

v.

ADDITIONAL RIGHTS WITH RESPECT TO  
A PREEXISTING EASEMENT AND RIGHT  
OF WAY OVER LAND IN MONTGOMERY  
COUNTY, TENNESSEE, KATIE BAINE,  
LUKE BAINE, BANK OF AMERICA, N.A.,  
ANDREW C. RAMBO, MORTGAGE  
ELECTRONIC REGISTRATION SYSTEMS,  
INC.,

Defendants.

Case No. 3:18-cv-01236  
Judge Trauger

**NOTICE OF APPEARANCE**

COME NOW, Bank of America, N.A., (“Bank of America”) and Mortgage Electronic Registration Systems, Inc. (“MERS”), pursuant to Fed. R. Civ. P. R. 71.1(e)(1) and file this Notice of Appearance by and through their undersigned attorney.

Bank of America and MERS claim an interest in the property located at 355 Kimbrough Road, Clarksville, Tennessee 37043, and more particularly described as follows:

LAND IN MONTGOMERY COUNTY, TENNESSEE, BEING LOT NO. 36 ON THE PLAN OF BELMONT SECTION 11, OF RECORD IN PLAT BOOK 9, PAGE 41, PLAT 40, SAID REGISTER’S OFFICE, TO WHICH PLAN REFERENCE IS HEREBY MADE FOR A MORE COMPLETE DESCRIPTION.

Bank of America’s interest stems from being the holder of a Deed of Trust recorded in Volume Book 1349, Page 356, in the office of the Register of Montgomery County, Tennessee (the “Deed of Trust”). MERS’ interest stems from its capacity as nominee for the lender on the



Deed of Trust. The Deed of Trust provides that “any award or claim for damages [...] in connection with any condemnation are hereby assigned and shall be paid to Lender to the extent of the full amount of the indebtedness that remains unpaid under the Note and the Security Instrument.” Accordingly, Bank of America and MERS assert that Bank of America is entitled to the money tendered into the Court in accordance with the Declaration of Taking and any additional monies deposited in this action up to and including the amount owing on the Deed of Trust.

Respectfully submitted, this 25th day of February 2019.

/s/ Bret J. Chaness  
BRET J. CHANESS (BPR # 31643)  
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*Attorney for Bank of America, N.A. & MERS*



**CERTIFICATE OF SERVICE**

I hereby certify that I have, this 25th day of February 2019, filed the within and foregoing  
by CM/ECF, which will serve notice on all parties.

/s/ Bret J. Chaness  
BRET J. CHANESS (BPR # 31643)